



July 22, 2003

U.S. Department of Transportation
Docket Management System
400 Seventh Street, S.W.
Room PL 401
Washington, D.C. 20591-0001

**Re: Docket Number FAA-1999-5836
Part 145 of Title 14, Code of Regulations and Advisory Circular 145-9, Guide for
Developing and Evaluating Repair Station and Quality Control Manuals**

The National Air Transportation Association (NATA), Aeronautical Repair Station Association (ARSA) and Aircraft Electronics Association (AEA) respectfully petition for an extension of the October 3, 2003, implementation date of Part 145 of Title 14, Code of Regulations published in the *Federal Register* on August 6, 2001. To give FAA personnel and industry sufficient time to review Advisory Circular 145-9, "Guide for Developing and Evaluating Repair Station and Quality Control Manuals," published on July 3, 2003, we submit this petition for rulemaking for a 120-day extension of the final rule's effective date.

NATA, The Voice of Aviation Business, is the public policy group representing the interests of aviation businesses before Congress, federal agencies and state governments. NATA's 2,000 member companies own, operate and service aircraft. These companies provide for the needs of the traveling public by offering services and products to aircraft operators and others such as fuel sales, aircraft maintenance, parts sales, storage, rental, airline servicing, flight training, Part 135 on-demand air charter, fractional aircraft program management and scheduled commuter operations in smaller aircraft. NATA members are a vital link in the aviation industry providing services to the general public, airlines, general aviation, and the military.

ARSA represents entities certificated under Part 145 of the Federal Aviation Regulations (FARs) and under similar regulations issued by National Aviation Authorities (NAAs) around the world. The association membership includes entities that distribute parts to international civil aviation businesses, as well as air carriers and manufacturers. These entities are directly impacted by the implementation of the Part 145 rule.

The Aircraft Electronics Association (AEA) represents over 1,100 aviation businesses, including repair stations that specialize in maintenance, repair and installation of avionics and electronic systems in general aviation aircraft. AEA membership also includes instrument facilities, manufacturers of avionics equipment, instrument manufacturers, airframe manufacturers, test equipment manufacturers, major distributors, and educational institutions.

Advisory Circular 145-9 (AC) constitutes the FAA's primary guidance for developing and evaluating repair station and quality control manuals for Part 145 certificate holders. We are concerned that the FAA's publication of the AC less than 90 days before the rule's implementation date allows neither FAA personnel nor the industry the opportunity to

adequately review, develop and implement this substantial document. This AC and the revisions to Part 145 represent a complete overhaul of operational requirements that cannot be implemented in a mere 90 days. FAA staff and industry need adequate time to understand the AC and develop the required manuals.

The jointly-sponsored regional Part 145 training sessions held over the past couple of months have gone a long way toward promoting the understanding of this rule and the associated draft, preliminary AC. These meetings, which allow industry and government representatives to seek a comprehensive understanding of the AC and the rule, will not conclude until September 3, 2003, a mere month before the effective date of the new rule. The meetings have also revealed a number of misconceptions and concerns with the new regulatory requirements that make compliance by October 3, 2003, uncertain.

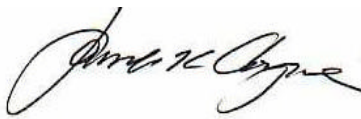
NATA, ARSA and AEA believe that the FAA does not recognize the impact that this rule and the associated AC 145-9 will have on small businesses. The limited time allowed for comprehension and implementation by both industry and FAA personnel is not being considered.

Finally, the new rule contains references to sections of Parts 121, 125 and 135 relating to the submission of service difficulty reports (SDRs) by repair stations on behalf of commercial operators and air carriers. These sections have not and will not become effective. According to the announcements in the *Federal Register*¹ delaying the implementation of the SDR rules, the FAA will be issuing a notice of proposed rulemaking further amending those regulations. Retaining references in Part 145 to sections that are not effective and which may never become effective is confusing to certificate holders and FAA personnel. A 120-day extension of the effective date of the Part 145 rule will allow the FAA time to issue a direct final rule amending section 145.221 reflecting the currently effective regulations regarding SDRs.

For these reasons, our combined associations believe that our petition is in the interest of the public and, therefore, we strongly urge the FAA to accept our petition to extend the implementation date on the regulations at least 120 days.

Thank you for your time and consideration on this critical issue affecting America's aviation businesses.

Sincerely,



James K. Coyne
President
NATA



Sarah MacLeod
Executive Director
ARSA



Paula Derks
President
AEA

¹ See, 66 FR 58911, November 23, 2001 and 67 FR 78970, December 27, 2002.

cc: The Honorable Marion K. Blakey, Administrator, Federal Aviation Administration
Mr. Nicholas Sabbatini, Associate Administrator for Regulation and Certification,
Federal Aviation Administration
Mr. James J. Ballough, Director, Flight Standards Service, Federal Aviation
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